

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KEITH ROSE,

Plaintiff,

V.

CITY OF ST. LOUIS, MISSOURI, et al.,

Defendants.

No. 4:18-CV-1568 RLW

AMENDED CASE MANAGEMENT ORDER

Pending before the Court is Defendants' Consent Motion to Amend the Case Management Order (CMO). Also before the Court is Defendants' Motion for a Telephonic Conference regarding the Consent Motion to Amend the CMO. In light of the posture of this case and other related cases pending in this district, the Court finds the Motion to Amend the CMO should be granted in the interest of justice and to conserve judicial resources.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Consent Motion to Amend the Case Management Order is **GRANTED**. [ECF No. 111]

IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to File Third Amended Complaint is **GRANTED**. The Clerk of the Court shall detach and docket the Third Amended Complaint, which was submitted as an attachment to the motion for leave. [ECF No. 101]

IT IS FURTHER ORDERED that Defendants' Motion for Judgment on the Pleadings is **DENIED**, without prejudice. [ECF No. 66]

IT IS FURTHER ORDERED that the Case Management Order issued October 21, 2019, and modified April 13, 2020, August 20, 2020, and November 20, 2020, is modified as follows:

a. The City Counselor shall enter (if conflicts allow) on behalf of the newly named defendants in the case not later than **January 5, 2021**.

b. Motions to dismiss directed to the Third Amended Complaint shall be filed not later than **January 19, 2021**. Responses to such motions shall be filed not later than **February 19, 2021**. Replies, if any, to such motions shall be filed not later than **March 1, 2021**.

c. Assuming rulings on motions to dismiss do not dispose of the case, Plaintiff shall produce expert reports 30 days after such rulings, with depositions of Plaintiff's experts within 15 days thereafter. Defendants shall produce expert reports within 5 days after completion of depositions of Plaintiff's experts, with depositions of Defendants' experts within 15 days thereafter. Discovery in this case will close **90 days after rulings on the motions to dismiss**.

d. Motions for summary judgment shall be filed no later than **30 days after the close of discovery**. Responses shall be filed no later than 28 days after the motion is filed, and any reply may be filed no later than 14 days thereafter.

e. Any motions under Daubert shall be filed not later than 30 days after the close of discovery.

f. The prior trial setting of **August 2, 2021, is VACATED**. The Court will reset trial following ruling on any motions for summary judgment. If no motion for summary judgment is filed by the date set above, the case will be set for trial forthwith

g. Except as amended herein, the Case Management Order shall remain in effect.

IT IS FURTHER ORDERED that Defendants' Motion for a Telephonic Conference regarding their Consent Motion to Amend the Case Management Order is **DENIED**. [ECF No. 112]



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 8th day of December, 2020.